

**City of Greensboro Planning Department
Zoning Staff Report and
Plan Amendment Evaluation
March 12, 2007 Public Hearing**

The information provided in this staff report has been included for the purpose of reviewing proposed zoning changes. Since the zoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review Committee process to address subdivision and development regulations.

Item: J

Location: 1824 & 1826 New Garden Road (southwest quadrant of New Garden Road and Strathmore Drive)

Applicant: SRJ Properties, LLC

Owner: Randy and Karen Beeninga

GFLUM

From: Low Residential

To: Moderate Residential

Zoning

From: RS-12

To: CD-RM-12

- Conditions:**
- 1) Uses: Townhomes designed for sale and amenities.
 - 2) Townhomes shall be constructed of substantially all brick building materials with stone or wood accents.
 - 3) Maximum 29 townhomes which shall not exceed two stories in height.
 - 4) Any freestanding exterior lighting shall be directed away from adjoining properties.
 - 5) The planting rate within the planting yard along the southern property line of Lot 25 shall be at double the required planting rate.
 - 6) Applicant shall install a monument entrance sign at the subject property, subject to applicable ordinances and regulations.
 - 7) Access shall be limited to one access point on New Garden Road and one access point on Strathmore Drive.
 - 8) Each townhome shall have an attached garage.

SITE INFORMATION	
Maximum Developable Units	29
Density	9.17 dwelling units per acre
Existing Land Use	Two single family detached dwellings
Acreage	3.16
Physical Characteristics	<i>Topography:</i> Primarily rolling with a northwestern slope toward New Garden Road <i>Vegetation:</i> Mature trees <i>Other:</i> N/A
Overlay Districts	N/A
Historic District/Resources	N/A
Generalized Future Land Use	Low Residential
Other	N/A

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
<i>North</i>	Woodland Hills Subdivision	RS-12
<i>South</i>	Single Family Residential	RS-12
<i>East</i>	Single Family Residential	RS-12
<i>West</i>	The Villas at New Garden	CD-RM-5

ZONING HISTORY		
Case #	Year	Request Summary
2495	1996	This property has been zoned RS-12 since it was annexed in 1996. The original zoning was established by City Council on July 2, 1996. Prior to annexation into the city, it was zoned RS-40 by Guilford County.

DIFFERENCES BETWEEN RS-12 (EXISTING) AND CD-RM-12 (PROPOSED) ZONING DISTRICTS
RS-12: Primarily intended to accommodate moderate density single family detached dwellings in developments where public water and sewer service is required. The overall gross density will typically be 3.0 units per acre or less.
CD-RM-12: Primarily intended to accommodate multifamily uses at a density of 12.0 units per acre or less. See Conditions for use limitations and other restrictions.

TRANSPORTATION	
Street Classification	New Garden Road – Major Thoroughfare, Strathmore Drive – Local Street.
Site Access	A maximum of one access point per street frontage to be located as far from the intersection as possible will be approved by GDOT. All access points must be designed and constructed to the City of Greensboro Standards.
Traffic Counts	New Garden Road ADT = 16,500.
Trip Generation	N/A.
Sidewalks	Sidewalks are a requirement of the Development Ordinance. 6' sidewalk with a 4' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types.
Transit	No.
Traffic Impact Study	Not required per TIS Ordinance.
Street Connectivity	N/A.
Other	N/A.

ENVIRONMENTAL REVIEW	
Water Supply Watershed	Yes, site drains to Greensboro Watersupply Watershed (WSIII)
Floodplains	N/A
Streams	N/A
Other	Maximum built upon area (BUA) per watershed density is 70% of the site acreage for high density development. If high density development (24%-70% of BUA) is proposed all the built upon area must drain and be treated by a State approved water quality device (pond or similar). If low density development is proposed site must meet watershed score sheet requirements.

LANDSCAPING REQUIREMENTS	
Location	Required Planting Yard Type and Rate
<i>North</i>	Street Yard - 8' avg. width; 2 canopy/100', 17shrubs/100'
<i>South</i>	Type C Yard - 20' avg. width; 2 canopy/100'; 3 understory/100', 17 shrubs/100' See Zoning Condition # 5
<i>East</i>	Street Yard - 8' avg. width; 2 canopy/100', 17shrubs/100' Type C Yard - 20' avg. width; 2 canopy/100'; 3 understory/100', 17 shrubs/100'
<i>West</i>	Type D Yard - 5' avg. width; 2 understory/100', 18 shrubs/100'

CONNECTIONS 2025 COMPREHENSIVE PLAN POLICIES

Connections 2025 Written Policies:

Reinvestment/Infill Goal: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

POLICY 4C: Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas.

Housing and Neighborhoods Goal: Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

POLICY 6A.2: Promote mixed-income neighborhoods.

POLICY 6A.4: Implement measures to protect neighborhoods from potential negative impacts of development, redevelopment, and/or public projects that are inconsistent with the neighborhood's livability, architectural or historical character, and reinvestment potential.

POLICY 6C: Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

Connections 2025 Map Policies:

The area requested for rezoning lies within the following map classifications:

Existing:

Low Residential (3-5 d.u./acre): This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

Proposed:

Moderate Residential (6-12 d.u./acre): This category accommodates housing types ranging from small-lot, single-family detached and attached single-family dwellings such as townhomes to moderate density, low-rise apartment dwellings.

COMPREHENSIVE PLAN AMENDMENT HISTORY		
Case #	Date	Request Summary
CP-06-22	12/05/06	A request for a Plan amendment on the west side of New Garden Road, between Brassfield Road and Duck Club Road, from Moderate Residential to Mixed Use Commercial was approved by City Council.

APPLICANT STATED REASONS FOR REQUEST

Explain in detail why the change is needed and a justification for such a change:

The applicant is seeking a change in land use designation to facilitate the development of townhomes. This particular area is in transition with other townhomes adjoining this property.

Explain in detail the conditions that you think may warrant a Plan Amendment (i.e. unforeseen circumstances or the emergence of new information, unanticipated changes in development pattern, rezonings, transportation improvements, economic opportunities, changes in socioeconomic conditions, etc.):

New Garden Road will be widened by the City and will be suitable for slightly higher residential densities. This property is located at an intersection and with two access points; the property can accommodate higher residential density. Comparable townhomes have been built on the adjoining property.

COMPREHENSIVE PLAN ANALYSIS

Need for the Proposed Change:

The applicant has requested a change in land use designation from Low Residential to Moderate Residential to facilitate the development of townhomes at the intersection of New Garden Road and Strathmore Drive. The applicant reasonably notes that the properties fronting New Garden Road in this area are in transition from single family detached residential uses to higher density residential uses, based on recent development patterns and the eventual widening of New Garden Road by the City. The applicant also correctly notes that a previous townhome development is being built adjacent to the site in question. However, the previously approved townhome development has a residential density that fits within the Low Residential land use classification in this area. Additionally, this section of New Garden Road contains several stable residential neighborhoods to the east and west.

The Comprehensive Plan encourages infill development and housing with a mixture of intensity and affordability. However the Comprehensive Plan also encourages new development that is consistent with surrounding existing development and does not negatively impact surrounding stable neighborhoods. When considering existing development and surrounding land use classifications in this area, the proposed change to a higher residential density land use classification does not appear appropriate.

Effect of the proposed Change on the Need for City Services and Facilities (e.g. roadway level of service, traffic counts, planned road improvements, transit, accidents statistics, and environmental constraints such as; location within a Water Supply Watershed, floodplain, streams):

None

Implications, if any, the Amendment may have for Other Parts of the Plan:

The introduction of new residential development that is not in character with surrounding existing residential development and densities could be problematic, particularly when adjacent to stable residential areas. While a mixture of types and intensities of residential areas should

be encouraged throughout the city, the city must weigh the impact of such development on existing, stable residential areas.

Unforeseen Circumstances or the Emergence of New Information (e.g. significant economic opportunity in Tier 2 or 3):

The widening of New Garden Road and recent development activity has set the stage for a transition of residential development along this portion of the roadway. However new residential development should be consistent with surrounding development patterns and land use classifications.

COMPREHENSIVE PLAN MONITORING COMMENTS

The Monitoring Committee met on March 5, 2007, and made the following comments concerning this request:

- Other recent residential development in this area has been done at 5 units/acre or less
- This proposal is too dense for this area, particularly if it establishes a different development pattern than what is currently here
- Proposal needs to be compatible with surrounding existing development, particularly since it's adjacent to an existing single family detached residential neighborhood in addition to lower density townhomes.
- Proposal would add too much traffic to New Garden Road for a single project, even with planned road widening
- No compelling reason to deviate from existing development patterns in this area

CONFORMITY WITH OTHER PLANS

The following aspects of relevant plans may be applicable in this case:

City Plans: The New Garden Road Corridor Study (1996) designated both sides of New Garden Road from Strathmore Drive to Jefferson Road as "Single Family Only". At the time, that was the Preferred Option of the Focus Group and the recommendation of the Planning Department.

Other Plans: N/A

STAFF COMMENTS

Planning: Two recent rezonings in this immediate area have established the multifamily density for this area. Both were consistent with the Low Residential land use classification on the Generalized Future Land Use Map (GFLUM) of Connections 2025 and the Planning Department recommended approval of each of the following:

- 1) The adjacent property, The Villas at New Garden, was rezoned to CD-RM-5 (#3276) by the City Council on September 21, 2004. The Zoning Commission had approved this request but it was appealed to the City Council. The density for this development is 4.5 units per acre (20 townhomes on 4.45 acres).
- 2) Property to the southwest of No. 1) above was rezoned to CD-RM-8 (#3519) by the Zoning Commission on December 11, 2006. The density for this proposed development is 2.8 units per acre (20 dwelling units on 7.16 acres).

The density of the current proposal is 9.2 units per acre (29 townhomes on 3.16 acres). In terms of context, this density is incompatible with the area and inconsistent with the Low Residential land use classification on the GFLUM. For example, it is slightly more than double the density of The Villas at New Garden. Much of the surrounding area is zoned RS-12 which features a maximum density of 3.0 units per acre.

If this request was for townhomes at a maximum of 5.0 units per acre, staff would support such a proposal as being consistent with the Comprehensive Plan and being compatible with the density of surrounding development. However, this current proposal is for too many units on too small a tract.

GDOT: No additional comments.

Water Resources: Open drainage channels that carry public runoff require an appropriately sized D.M.U.E

Housing & Community Development:

STAFF RECOMMENDATION

Based on all the information contained in this report, the Planning Department recommends denial of the Comprehensive Plan amendment to designate this property as Moderate Residential and denial of the rezoning to Conditional District – RM-12 Residential Multifamily primarily due to:

- Low Residential is the appropriate land use classification for this area.
- The proposed density is incompatible with development in the surrounding area.